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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/896,166	06/29/2001	Steven Neil Tischler	BELL-0085/01021	7426
38952	7590	09/29/2005		
WOODCOCK WASHBURN LLP ONE LIBERTY PLACE - 46TH FLOOR PHILADELPHIA, PA 19103			EXAMINER VAUGHN, GREGORY J	
			ART UNIT	PAPER NUMBER
			2178	

DATE MAILED: 09/29/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/896,166

Applicant(s)

TISCHER, STEVEN NEIL

Examiner

Gregory J. Vaughn

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 July 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-26 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-9, 13-17 and 21-26 is/are rejected.
- 7) ☒ Claim(s) 10-12 and 18-20 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Action Background

1. This action is responsive to the applicant's response, filed on 7/6/2005.
2. Applicant has amended claim 7.
3. Claims 1-26 are pending in the case, claims 1, 13 and 21 are independent claims.
4. In the previous office action (dated 4/5/2005), dependent claims 10 and 18 were objected to as being allowable if rewritten in independent form. Claims 11, 12, 19 and 20 were also objected to as being allowable if the parent claims (10 and 18) were to be rewritten in independent form. These objections are maintained herein.
5. Examiner's rejection of claim 7, made under 35 USC 112 in the *Claim Rejections – 35 USC 112* section of the previous office action (dated 4/5/2005) is withdrawn in view of the amended claim.

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

“(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.”

7. Claims 1-9, 13-17, and 21-26 remain rejected under 35 U.S.C. 103(a) as being unpatentable over Alam et al. US Patent 6,336,124, filed 7/7/1999, patented 1/1/2002 (hereinafter Alam) in view of Kuroda et al. US Patent 6,094,186, filed 5/15/1995, patented 7/25/2000 (hereinafter Kuroda).

8. **Regarding independent claim 1**, Alam discloses reading a first file containing digital content in Figure 3 at reference sign 302 (shown as “Receive Input Data”). Alam discloses reading a second file containing style definitions. Alam recites: *“The input and output formats may be, for example, portable document format (PDF), rich text format (RTF), hypertext markup language (HTML) format with style sheets, tabular HTML, extensible markup language (XML), cascading style sheets (CSS), Netscape Layers, linked and separate pages, Tag Image File Format (TIFF) or any other image format such as graphics interchange format (GIF), bit map (BMP), or Joint Photographic Experts Group (JPEG), formats generated by text and/or image*

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authoring tools or applications, or any other suitable formats" (column 2, lines 1-11). Alam discloses displaying the stylized content in Figures 21A and 21B.

Alam fails to disclose a plurality of styles, displaying a plurality of stylized content simultaneously, and selection of a stylized content. Kuroda teaches the use of a plurality of styles, displaying a plurality of stylized content simultaneously, and selection of a stylized content. Kuroda recites: "*In a document processing apparatus wherein when a format of a document or the like is set, a plurality of format patterns are simultaneously displayed, a selection is made of a desirable format pattern among said format patterns*" (abstract).

Therefore, it would have been obvious, to one of ordinary skill, at the time the invention was made to combine the document formatting invention of Alam with the simultaneous display and selection of format styles as taught by Kuroda in order to provide "*to provide a document format setting method and an apparatus capable of readily setting a format*" (Kuroda, column 1, lines 61-62).

9. **Regarding dependent claims 2-4**, Alam discloses the use of XML, XSL and CSS files. Alam recites: "*The input and output formats may be, for example, portable document format (PDF), rich text format (RTF), hypertext markup language (HTML) format with style sheets, tabular HTML, extensible markup language (XML), cascading style sheets (CSS), Netscape Layers, linked and separate pages, Tag Image File Format (TIFF) or any other image format such as graphics interchange format (GIF), bit map (BMP), or Joint*

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Photographic Experts Group (JPEG), formats generated by text and/or image authoring tools or applications, or any other suitable formats" (column 2, lines 1-11).

10. **Regarding dependent claim 5**, Alam discloses the style definition as a justification in Figures 20, 21A and 21B (Figure 20 discloses the content prior to reformatting and Figures 21A and 21B show the content with new justification).
11. **Regarding dependent claim 6**, Alam discloses the use of a mouse in Figure 2 at reference sign 111.
12. **Regarding dependent claim 7**, Alam discloses the use of the x-pixel and y-pixel locations within the parameters of the display device in Figure 14.
13. **Regarding dependent claim 8**, the claim contains substantially the same subject matter as claim 1 and is rejected using the same rationale.
14. **Regarding dependent claim 9**, Alam discloses the use of a first style definition and a second style definition in figure 3 at reference sign 306 (shown as "One or More Different Output Formats").
15. **Regarding claims 13-15**, the claims are directed toward computer readable medium for the method of claims 1-3, respectively, and are rejected with the same rationale.

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16. **Regarding claims 16-17**, the claims are directed toward computer readable medium for the method of claims 8-9, respectively, and are rejected with the same rationale.
17. **Regarding claims 21-23**, the claims are directed toward a system for the method of claims 1-3, respectively, and are rejected with the same rationale.
18. **Regarding dependent claim 24**, Kuroda discloses dividing the display device into as many areas as styles in Figure 2 at reference sign 201. Kuroda discloses mapping similar style definitions to proximate areas of the display device in Figure 2 at reference sign 201 (shown as "*A4, Longer side ...*" next to "*A4 Longer Side ...*").
19. **Regarding claims 25 and 26**, the claims are directed toward a computer readable medium or a system for the method of claim 24, and are rejected with the same rationale.

Allowable Subject Matter

20. Claims 10 and 18 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.
21. Claims 11-12 and 19-20 are objected to as being dependent upon claims 10 and 18, but would be allowable if claims 10 and 18 are rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Response to Arguments

22. Applicant's arguments filed 7/6/2005 have been fully considered but they are not persuasive.

23. **Regarding independent claims 1, 13 and 21**, applicant states: "*None of the cited references discloses or suggests creating a plurality of display instances of stylized digital content and mapping each of the plurality of display instances to a different area of a display device, as recited by the claims*" (page 9, third paragraph, of the response filed 7/6/2005). Applicant is directed to the rejection of claim 1, as restated above. Alam's invention for converting a document to other formats, combined with Kuroda's teachings of simultaneous displaying a plurality of formatted patterns renders the current claims 1, 13 and 21 unpatentable. Kuroda recites: "*In a document processing apparatus wherein when a format of a document or the like is set, a plurality of format patterns are simultaneously displayed, a selection is made of a desirable format pattern among said format patterns*" (abstract).

Conclusion

24. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

25. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gregory J. Vaughn whose telephone number is (571) 272-4131. The examiner can normally be reached Monday to Friday from 8:00 am to 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen S. Hong can be reached at (571) 272-4124. The fax phone number for the organization where this application or proceeding is assigned is (571) 272-2100.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Gregory J. Vaughn
September 20, 2005

William L. Bashore
WILLIAM BASHORE
PRIMARY EXAMINER

9/27/2005